

Image
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION *AF*

ATTORNEY DOCKET NO. 10012215-1

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s): Makarand P. Gore

Confirmation No.: 4586

Application No.: 09/960,180

Examiner: Ackun, J.

Filing Date: 09/20/2001

Group Art Unit: 3712

Title: PROTECTIVE CONTAINER AND ASSOCIATED METHODS

**Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- () under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- (X) under 37 CFR 1.97 (c) together with either a: 03/09/2004 BABRAHA1 00000143 082025 09960180
(X) Statement under 37 CFR 1.97(e), or
() a \$180.00 fee under 37 CFR 1.17(p), or 01 FC:1806 180.00 DA
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- () under 37 CFR 1.97 (d) together with a:
() Statement under 37 CFR 1.97(e)(1) or (2), and
() a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account **08-2025** the sum of \$180.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **08-2025** pursuant to 37 CFR 1.25.

(X) Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Statement together with any required copies of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

(X) A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individuals(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

- (X) I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: 3/3/04

OR

- () I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number _____ on _____ Number of pages: _____

Typed Name: **Emily Mecham**

Signature: *Emily Mecham*

Respectfully submitted,

Makarand P. Gore

By *Mr. Wayne Western*

Mr. Wayne Western

Attorney/Agent for Applicant(s)

Reg. No. **22,788**

Date: 3/3/04

Telephone No.: **(801) 566-6633**



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Makarand P. Gore

Confirmation No.: 4586

Application No.: 09/960,180

Examiner: Ackun, J.

Filing Date: 09/20/2001

Group Art Unit: 3712

Title: PROTECTIVE CONTAINER AND ASSOCIATED METHODS

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 CFR 1.97(e)

Sir:

The undersigned hereby certifies that either:

- ☒ (X) Each item of information contained in the Information Disclosure Statement was cited for the first time in a communication from a foreign patent office in a counterpart foreign application, not more than three months prior to the filing of the statement, or
- ☐ () No item of information contained in the Information Disclosure Statement
 - was cited in a communication from a foreign patent office in a counterpart foreign application, and
 - to the knowledge of the undersigned, after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56 (c) more than three months prior to the filing of the Information Disclosure Statement.

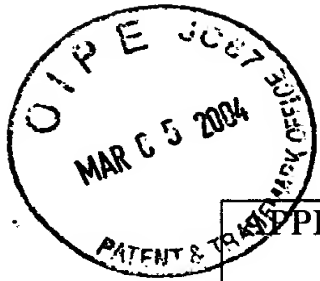
Respectfully submitted,
Makarand P. Gore

By M. Wayne Western
M. Wayne Western


Attorney/Agent for Applicant(s)
Reg. No. 22,788

Date: 3/3/04

Telephone No.: (801) 566-6633



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Hewlett-Packard Company	CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8 I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.  Emily Mecham <u>3/3/04</u> Date of Deposit
SERIAL NO.:	09/960,180	
FILING DATE:	09/20/2001	
FOR:	PROTECTIVE CONTAINER AND ASSOCIATED METHODS	
ART UNIT:	3712	
EXAMINER:	Ackun, Jacob K.	
DOCKET NO.:	10012215-1	

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80528-9599

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

STATEMENT OF RELEVANCE 1.98 (a)(3)(i)

Sir:

The European Patent Office has brought to the Applicants' attention reference FR 2,355,733. The Applicants have translated the terms with respect to the enumerated elements of included the Figure, and to the best of the Applicants' knowledge and understanding, the translation is as follows:

- 1) Container; 2) Bottle; 3) Rigid Barrel; 4) Stopper; 5) Cover; 6) Joint; 7) Vertical Holds; 8) Open Space; 9) Open Space Located Above; 10) Partition; 11) Perforated

Sheet; 12) Grid; 13) Screw; 14) Rigid Lid; 15) Joint; 16) Flexible Matter Hold; 17) Internal Wall; 19) Plastic Envelope.

Considering the Figure in FR 2,355,733 compared to the Applicants' claims as currently amended before the Examiner, the Applicants submit that reference FR 2,355,733 does not anticipate the claims, nor does it render present claims obvious. Reference FR 2,355,733 is lacking at least one essential element that the Applicants have claimed as the invention. For example, FR 2,355,733 does not include "an inner casing, integrally coupled to the outer casing, the inner casing being less durable than the outer casing . . ." as defined by the specification.

If the Examiner has any question or issues regarding this statement, the Examiner is invited to telephone David W. Collins at (520) 399-3203, so that such issues may be resolved as expeditiously as possible.

Please charge any additional fees except for Issue Fee or credit any overpayment to Deposit Account No. 08-2025.

Dated this 3rd day of Mar, 2004.

Respectfully submitted,

M. Wayne Wester

M. Wayne Wester
Attorney for Applicant
Registration No. 22,788

9/ Of:
THORPE NORTH & WESTERN, LLP
8180 South 700 East, Suite 200
Sandy, Utah 84070
(801) 566-6633

On Behalf Of:
HEWLETT-PACKARD COMPANY
1000 NE Circle Blvd., m/s 422B
Corvallis, OR 97330-4239
(541) 715-0159

PATENT APPLICATION

Sheet 1 of 1

FORM PTO-1449

**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENT**

(Use several sheets if necessary)

ATTY. DOCKET NO.

10012215-1

APPLICATION NO.

09/960,180

CONFIRMATION NO.

4586

APPLICANT

Makarand P. Gore

FILING DATE

09/20/2001

GROUP

3712**REFERENCE DESIGNATION****U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	NAME	Pages, Columns, Lines Where Relevant Passages or Figures Appear
	1A	4,935,943	06/19/1990	Shweitzer et al.	
	1B				
	1C				
	1D				
	1E				
	1F				
	1G				
	1H				
	1I				
	1J				
	1K				

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	Pages/Columns/Lines Where Relevant Passages/Figures Appear	Check if Translation attached
	1L	FR2355733	Jan 20, 1978	Louyot Comptoir Lyon		
	1M					
	1N					
	1O					
	1P					

OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

	1Q	
	1R	
	1S	

EXAMINER

DATE CONSIDERED